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REMARKS

Claims 13-32 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Kawai '827 in view of Anderson '429. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

Kawai '827 relates to a clamping device with a cylindrical leg portion 15 having lateral engaging protruding pieces 16a, 16b extending from opposite sides of the leg portion 15. As best seen in Figs. 1A and 1C, the leg portion 15 extends from the main body 1. The engaging protruding pieces 16a and 16b extend radially out from opposite sides of the leg portion 15 when facing the clamping device from the bottom or along the length thereof. When facing the protruding pieces 16a, 16b and the leg portion 15 from the bottom, the footprint or outline of these shapes appears as a circle and a rectangle overlaying each other (best seen in Fig. 1C). To accommodate the protruding pieces 16a, 16b and the leg portion 15 in the manner disclosed by Kawai '827, it is necessary for the plate 2 to have a similar irregularly shaped hole 3 (see Fig. 3). The footprint or shape of the hole 3 is large, this reduces the effective working space of the plate to which the clamping device will be attached.

As seen in Figs. 7A and 7B, Kawai '827 also discloses that the protruding pieces 16a, 16b and the leg portion 15 are inserted into the hole in the plate at 3b after which the device is slid along the plate until the device is locked into place when protrusion 14 meets hole 4. In addition to requiring the hole to have the irregular and large shape as described above, in order to accomplish locking the device with the plate, the hole that accommodates the protruding pieces 16a, 16b and the leg portion 15 has to be further enlarged to allow for the sliding of device in a longitudinal direction. This further also reduces the effective working area of the plate to which the clamping device will be attached.

In distinct contrast to the specific teachings of Kawai '827, the presently claimed invention covers a circular plate member 13 carried by a support 11 and extending in the direction of one of the projections. That is, the circular plate member 13 is located closer to a first one of the projections 17 than it is to the other projection 17 (see independent claims 13, 25 and 32). As seen in Figs. 1A and 1C, the current clamping device has a support 11 extending from the main body 1. A circular plate like portion or member 13, that extends toward one of the protrusions 17, is carried at the bottom of the support 11. Thus, the footprint or outline of

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the plate like member 13 is circular in shape (see Fig. 1C, for example). This shape allows the plate to have a hole H1 with a slightly larger circular outline. The plate with the hole H1 having a circular outline has a more substantial effective working area and is easier and less expensive to manufacture than the prior art design of Kawai '827.

In addition, with the limitations of the inventive device, when locking the presently claimed clamping device to the plate, there is no need for the hole to be elongated to allow for longitudinal sliding of the device in order for the projection to engage the hole H2. The absence of an elongated hole, like the hole disclosed in Kawai '827, allows for a much larger effective surface area.

The Examiner then alleges that Anderson '429 discloses first and second curved surfaces (30, 40, Fig. 5) corresponding to the curvature as presently recited. The Applicant reviewed the Anderson '429 citation and respectfully submits that the presently claimed invention, as recited in the presently pending claims, is clearly distinguished over the teachings of the applied combination of Kawai '827 and Anderson '429. In particular, although Anderson '429 may arguably disclose a pair of curved surfaces, the combination of Anderson '429 and Kawai '827 fails to in any way teach, suggest the above distinguishing features of the present invention, namely, that a portion of the support 11 is coincident with the central axis (C2 of Fig. 1) of the main body of the clamp.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claims 13, and 25 of this application now recite the features of "at least a portion of the support is coincident with the central axis of the main body and the disc portion defines a disc axis which is offset from the central axis of the main body such that the disc portion is located closer to the first elastically deformable portion than to the second elastically deformable portion."

Independent claim 32 now recites the features of "a portion of the first curved surface is coincidental with the central axis; a portion of the second curved surface is coincidental to the disc axis of the disc portion; a first and second elastically deformable portions extending from the base of the main body, at least one of the first and second elastically deformable portions having at least one projection at a remote free end thereof, and the first elastically deformable portion extends in a first direction and the second elastically deformable portion extends in a

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second opposite direction." Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

While the applied reference of Kawai '827 relates to a clamping device and the reference of Anderson '429 also relates to a cable wire, the Applicant fails to see the required teaching, suggestion or motivation of the combination would be apparent to one skilled in the art. The two devices are mutually exclusive and are directed to entirely different inventions. Thus, the Applicant respectfully submits are they not properly combinable with one another. That is, there is absolutely no teaching, suggestion or motivation in either reference suggesting to one skilled in the art the replacement of the leg portion 15 with the two protruding pieces 16a, 16b with the arrangement disclosed in Figs. 5 and 6 of Anderson '429.

Moreover, even if the two references were, in fact, properly combinable with one another, which the Applicant adamantly denies, the result in combination would not be in the presently claimed invention. That is, the combined teaching of those two citations would be to replace the leg 15, 16a, 16b and the portions 12a, 12b and pressing protrusions 13a, 13b with a pair of arrangements as disclosed in Figs. 5 and 6 of Anderson '429. Such combination would clearly not anticipate nor render obvious the presently claimed invention.

In summation, the Applicant acknowledges that the additional references of Anderson '429 may arguable relate to the features indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base reference of Kawai '827 with the additional art of Anderson '429 is not proper and, in any event, still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention. As such, all of the raised rejections in view of that art should be withdrawn at this time in view of the above amendments and remarks.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection and/or the applicability of the Kawai '827 and/or Anderson references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise

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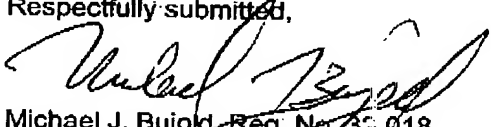
in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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